

ASSIGNED**NO. 59804****AMENDED**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 09 1994
Returned to applicant for correction MAY 12 1994
Corrected application filed JUL 11 1994
Map filed JUL 11 1994 under 59801

The applicant **Ray Swanson & Linda Motte, Co-Trustees of the Bera Swanson Living Trust**, hereby make application for permission to change the **point of diversion of a portion and the place of use** of water heretofore appropriated under **Permit 49562**

1. The source of water is **underground**
2. The amount of water to be changed **2.0 cfs**
3. The water to be used for **irrigation and domestic**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, T.25N., R.41E., M.D.B.&M. or at a point from which the SW corner of said Section 32 bears S45°34' W a distance of 3818.0 feet.**
6. The existing permitted point of diversion is located within the **SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32 T.25N., R.41E., M.D.B.&M. or at a point from which the SW corner of said Section 32 bears S40°00'W a distance of 122.0 feet.**
7. Proposed place of use **all of Section 32, T.25N., R.41E., M.D.B.&M. 585.0 acres.**
8. Existing place of use **S $\frac{1}{2}$; NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32 T.25N., R.41E., M.D.B.&M. 585.0 acres**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works. **drill well and connect to the existing irrigation system**
12. Estimated cost of works **in excess of \$60,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks:

**Desert Mountain Surveying as agent,
By John H. Milton, III, PLS, SWRS
By s/John H. Milton, III
146 W. SEcond Street
Winnemucca, NV 89445**

Compared dl/cmf lb/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 49562 is issued subject to the terms and conditions imposed in said Permit 49562 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 49562, 59803 and 59804 shall not exceed 2340.0 acre-feet annually, and is limited to the irrigation of 585.0 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, but not to exceed 610.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

October 4, 2004

Proof of completion of work shall be filed before:

November 4, 2004

Water must be placed to beneficial use on or before:

October 4, 2007

Proof of the application of water to beneficial use shall be filed on or before:

November 4, 2007

Map in support of proof of beneficial use shall be filed on or before:

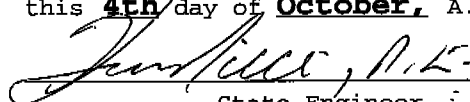
November 4, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of October, A.D. 2002



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No _____ Issued _____

